



15031.340

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named
Inventor : Alexander R. Roustaei

Appl. No. : To be Assigned
(Application for Reissue of U.S. Patent
No. 5,756,981, issued on May 26, 1998)

Title : OPTICAL SCANNER FOR READING AND DECODING
ONE-AND-TWO-DIMENSIONAL SYMBOLOGIES AT
VARIABLE DEPTHS OF FIELD INCLUDING
MEMORY EFFICIENT HIGH SPEED IMAGE
PROCESSING MEANS AND HIGH ACCURACY IMAGE
ANALYSIS MEANS

Filed : Concurrently Herewith

Assignee : Symbol Technologies, Inc.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

May 26, 2000

Assistant Commissioner for Patents
United States Patent and Trademark Office
Box Reissue
Washington, D.C. 20231

Sir:

RECEIVED

MAY 25 2000

TECHNOLOGY CENTER 2800

TRANSMITTAL OF REISSUE APPLICATION FEE

This letter and enclosed one (1) original and one (1)
copy of the Reissue Application Fee Transmittal Form

(PTO/SB/56) refer to and supplement application for the reissue of U.S. Patent No. 5,756,981 (identified above). The reissue application was transmitted to Assistant Commissioner for Patents on May 25, 2000 by Express Mail, with Express Mail No.: EK069172606US, and consisted of the following documents:

1. A copy of the U.S. Patent No. 5,756,981, together with Certificate of Corrections - 78 pages;
2. Reissue Patent Application Transmittal Form - 1 page;
3. Reissue Specification - 79 pages;
4. Reissue Claims - 10 pages;
5. Reissue Drawings - 35 pages;
6. Reissue Application Fee Transmittal Form - 1 page;
7. Power Of Attorney For Prosecution Of The Reissue Application - 2 pages;
8. Assignee's Consent And Offer To Surrender Patent - 2 pages;
9. Certificate Under 37 CFR 3.73(b) - 2 pages;
10. Request For Title Report - 2 pages;
11. Drawing Transfer Request - 2 pages;
12. Declaration by Donald Fisher (co-inventor) - 4

pages;

13. Declaration by Ira J. Schaefer (attorney for assignee) - 6 pages;

14. Declaration by Daniel Basov (attorney for assignee) - 3 pages;

15. Transmittal letter - 3 pages; and

16. Return Postcard.

Please, process this Reissue Application Fee Transmittal Form (PTO/SB/56) together with the above-identified documents accompanying application for the reissue of U.S. Patent No. 5,756,981.

The Commissioner for Patents and Assistant Commissioner for Patents are hereby authorized to charge Deposit Account of Chadbourne & Parke LLP No. 03-1240 for any fees that may be required in connection with the above-identified reissue application.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being sent via Express Mail to Box Reissue, Assistant Commissioner for Patents, United States Patent and Trademark Office, Washington, D.C. 20231.

DATE: May 26, 2000

EXPRESS MAIL LABEL NO.: EK069172610US

NAME: DANIEL BASOV

SIGNATURE: Daniel Basov

Respectfully submitted,

By Daniel Basov

Daniel Basov
Registration No. 42,303
(Attorney for Assignee)

Chadbourn & Parke LLP
30 Rockefeller Plaza
New York, New York 10112
(212) 408-5100

15031.340

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Alexander R. Roustaei,
Roland L. Lawrence,
Ali Lebaschi,
Long-Xiang Bian,
Donald Fisher

Appl. No. : To be Assigned
(Application for Reissue of U.S. Patent
No. 5,756,981, issued on May 26, 1993)

Title : OPTICAL SCANNER FOR READING AND DECODING
ONE-AND-TWO-DIMENSIONAL SYMBOLOGIES AT
VARIABLE DEPTHS OF FIELD INCLUDING
MEMORY EFFICIENT HIGH SPEED IMAGE
PROCESSING MEANS AND HIGH ACCURACY IMAGE
ANALYSIS MEANS

Filed : Concurrently Herewith

Assignee : Symbol Technologies, Inc.

May 16, 2000

Assistant Commissioner for Patents
Box Reissue
Washington, D.C. 20231

Sir:

REISSUE DECLARATION

Mr. Donald Fisher declares as follows:

1. I believe myself to be the first and original co-inventor of the invention described and claimed in the aforesaid Letters Patent and in this application for a

reissue thereof.

2. I declare that to my knowledge and belief the above-mentioned invention was not known or used in the United States of America before the invention thereof by me, together with other co-inventors named in the U.S. Patent No. 5,756,981.

3. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

4. I have reviewed and understand the contents of U S. Patent No. 5,756,981, as well as contents of the specification and claims of this reissue application.

5. I believe the original patent to be wholly or partly invalid or inoperative by reason of my having claimed less than I had a right to claim, specifically that claims 1, 16 and 31 of the issued patent are too narrow in scope in that they recite, for example, the unnecessary limitation of "moving means for moving at least one of said plurality of lenses with respect to other lenses of said plurality of lenses".

6. I believe the errors corrected in this reissue application came about due to failure on the part of

prosecuting attorney to appreciate the full scope and true nature of the invention disclosed in the application.

7. I declare that this failure to appreciate the true scope of the invention was without fraudulent or deceptive intention and arose solely from inadvertence, accident or mistake.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

May 23, 2000
(Date)

Donald Fisher
(Full name of the inventor)

Donald Fisher
(Inventor's Signature)

12292 Mirar de Valle
Valley Center, CA 92082
(Inventor's Residence)

12292 Mirar de Valle
Valley Center, CA 92082
(Post Office Address)

U.S.A.
(Citizenship)

30 Rockefeller Plaza
New York, NY 10112
(212) 408-1075

I hereby certify that this correspondence
is being deposited with the United States
Postal Service with sufficient postage as
first class mail in an envelope addressed
to: Assistant Commissioner for Patents,
Washington, D.C. 20231

On: _____
CHADBOURNE & PARKER LLP

By: _____
Fra J. Schaefer

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being sent via Express
Mail to Box Reissue, Assistant Commissioner for Patents, United
States Patent and Trademark Office,
Washington, D.C. 20231

DATE: May 25, 2000

EXPRESS MAIL LABEL NO.:

EK 069172606 US

NAME: DANIEL BASOV

SIGNATURE:

Daniel Basov